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Jeffrey D. Myers, Reg. No. 35,964

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/749,295  
Applicant(s) : Mark E. Paige, et al.  
Filed : December 31, 2003  
Title : OPTICAL ABSORBANCE SENSITIVITY AND RELIABILITY  
IMPROVEMENT VIA ROTATION OF SAMPLE CONTAINER  
  
TC/A.U. : 2878  
Examiner :  
  
Docket No. : 70047-43

Commissioner for Patents  
United States Patent and Trademark Office  
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## INFORMATION DISCLOSURE STATEMENT

SIR:

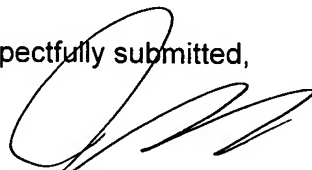
Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior references" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed within three months of the filing date of the application or prior to the mailing date of a first Office action. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

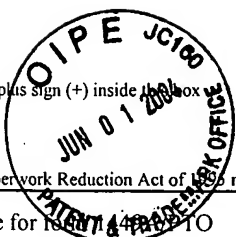
Respectfully submitted,



Jeffrey D. Myers Reg. No. 35,964  
Direct line: (505) 998-1502

Enclosures: PTO Form(s) 1449;  
Copy of Reference(s)

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Substitute for Form 1449 PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/749,295
				Filing Date	December 31, 2003
				First Named Inventor	Paige, et al.
				Group Art Unit	2878
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	70047-43

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Kind Code <sup>2</sup> Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,830,969		S.R. Hofstein	08/20/1974	
		3,966,332		J.Z. Knapp	06/29/1976	
		4,372,683		J.C. Sternberg	02/08/1983	
		4,684,258		C.R. Webster	08/04/1987	
		5,155,019	A	M.L. Sussman, et al.	10/13/1992	
		5,267,019	A	E.A. Whittaker	11/30/1993	
		5,473,161	A	J.A. Nix, et al.	12/05/1995	
		5,482,842	A	K.W. Berndt	01/09/1996	
		5,523,560	A	F. Manique, et al.	06/04/1995	
		5,614,718	A	J.G. Bace	03/25/1997	
		5,694,221	A	J.Z. Knapp	12/02/1997	
		6,639,678	B1	J.R. Veale	10/28/2003	

**FOREIGN PATENT DOCUMENTS**

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1. Unique citation designation number. 2. See attached Kinds of U.S. Patent Documents. 3. Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.

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<b>Substitute for form 1449B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>COMPLETE IF KNOWN</b>	
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Sheet	2	of	2	Attorney Docket Number	70047-43

<b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		TEMPLETON, A.C., "Rapid Headspace Oxygen Analysis for Pharmaceutical Packaging Applications," <i>Pharmaceutical Technology</i> , pp 44-61(July 2002)	

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